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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,095	10/25/2000	Mitsuharu Kamiya	00754/LH	3189

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FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
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EXAMINER

YOUNG, JOHN L

ART UNIT PAPER NUMBER

3622

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/696,095

Applicant(s)

KAMIYA, MITSU HARU

Examiner

John L Young

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 46 and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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NON-FINAL OFFICE ACTION REJECTION

DRAWINGS

1. This application has been filed with drawings that are considered informal; however, said drawings are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

CLAIM REJECTIONS — 35 U.S.C. §103(a)

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 48-56 are rejected under 35 U.S.C. §103(a) as being obvious over Patterson US 6,389,541 (May 14, 2002) [US f/d: May 15, 1998] (herein referred to as "Patterson").

As per independent claim 48, Patterson (col. 7, ll. 15-50) discloses: "*a personal home computer connected to the Internet. . . .*"

Patterson (col. 1, ll. 50-67) discloses: "*publishers . . . deliver . . . content electronically, to the user's home computer desktop. . . .electronic distribution could*

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result in cost savings to the consumer and increased profitability to the content producer due to the reduction in printing and distribution costs."

Patterson (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 5, ll. 20-67; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67; and whole document) shows: "A printing information distributing apparatus adapted to be connected through a network to . . . terminals . . . provided at different locations, the printing information distributing apparatus comprising: printing information storage means for storing printing information items; printing reservation means, adapted to be connected to the portable terminals through the network. . . . storing identification information for retrieving a reserved printing information item, corresponding to reservation information . . . reservation information storing means . . . receiving means for receiving identification information input in one of the printers by user operation and transmitted from the one of the printers; reading means for retrieving the reservation information storage means base don the identification information received by the receiving means, and reading the reservation information corresponding to the identification information from the reservation information storage means . . . transmitting means for reading from the printing information storage means the printing information item corresponding to the reservation information read by the reading means, and printing out the printing information item by transmitting the printing information item to the one of the printers through the network."

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Patterson lacks a showing of “portable terminals and printers.”

Patterson lacks a showing of “the reserved printing information item. . . .”

It would have been obvious at the time the invention was made to a person having ordinary skill in the art that the disclosure Patterson (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67) shows: “portable terminals and printers. . . .” and “the reserved printing information item. . . .”; it would have been obvious to modify and interpret the disclosure of Patterson (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67) as implicitly showing “portable terminals and printers. . . .” and “the reserved printing information item. . . .” because modification and interpretation of the cited disclosure of Patterson would have provided means to “*deliver . . . content electronically, to the user’s home computer desktop. . . .*” (see Patterson (col. 1, ll. 60-67)) based on the motivation to modify Patterson so “*distribution could result in cost savings to the consumer and increased profitability to the content producer due to the reduction in printing and distribution costs.*” (see Patterson (col. 1, ll. 60-67)).

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As per dependent claim 49, Patterson shows the apparatus of claim 48.

Patterson (the ABSTRACT; FIG. 1; col. 2, ll. 1-10; col. 3, ll. 15-20; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 7, ll. 15-50; (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 5, ll. 20-67; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67) discloses: *"a payment computer or server . . . connected to the network . . . authorizing access to the object. . . ."* and

Patterson (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67) shows: "A printing information distributing apparatus . . . transmits the printing information item to the one of the printers. . . ."

Patterson lacks a showing of "transmits charge information showing a printing charge of the printing information item to the one of the printers . . . when an amount corresponding to the charge information is paid."

It would have been obvious at the time the invention was made to a person having ordinary skill in the art that the disclosure Patterson (the ABSTRACT; FIG. 1; col. 2, ll. 1-10; col. 3, ll. 15-20; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 7, ll. 15-50; (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 5, ll. 20-67; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col.

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10, ll. 1-67) shows: “portable terminals and printers. . . .” and “the reserved printing information item. . . .”; it would have been obvious to modify and interpret the disclosure of Patterson (the ABSTRACT; FIG. 1; col. 2, ll. 1-10; col. 3, ll. 15-20; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 7, ll. 15-50; (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 5, ll. 20-67; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67) as implicitly showing: “transmits charge information showing a printing charge of the printing information item to the one of the printers . . . when an amount corresponding to the charge information is paid.”” because modification and interpretation of the cited disclosure of Patterson would have provided means to “*deliver . . . content electronically, to the user’s home computer desktop. . . .*” (see Patterson (col. 1, ll. 60-67)) based on the motivation to modify Patterson so “*distribution could result in cost savings to the consumer and increased profitability to the content producer due to the reduction in printing and distribution costs.*” (see Patterson (col. 1, ll. 60-67)).

As per dependent claim 50, Patterson shows the apparatus of claim 49.

Patterson (the ABSTRACT; FIG. 1; col. 2, ll. 1-10; col. 3, ll. 15-20; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 7, ll. 15-50; (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 5, ll. 20-67; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67) discloses: “*a payment*

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computer or server . . . connected to the network . . . authorizing access to the object. . . .”

Patterson lacks a showing of “printers comprise money entry means for paying an amount corresponding to the charge information.”

“Official Notice” is taken that both the concepts and the advantages of “printers comprise money entry means for paying an amount corresponding to the charge information. . . .” were well known and expected in the art by one of ordinary skill at the time of the invention, because it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify and interpret the disclosure of Patterson (the ABSTRACT; FIG. 1; col. 2, ll. 1-10; col. 3, ll. 15-20; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 7, ll. 15-50; (FIG. 1; col. 1, ll. 50-67; col. 2, ll. 60-67; col. 3, ll. 1-15; col. 3, ll. 40-67; col. 4, ll. 1-35; col. 4, ll. 64-67; col. 5, ll. 1-15; col. 5, ll. 20-67; col. 7, ll. 15-50; col. 8, ll. 1-67; col. 9, ll. 1-67; and col. 10, ll. 1-67) as implicitly showing “printers comprise money entry means for paying an amount corresponding to the charge information. . . .” because modification and interpretation of the cited disclosure of Patterson would have provided means to “*deliver . . . content electronically, to the user’s home computer desktop. . . .*” (see Patterson (col. 1, ll. 60-67)) based on the motivation to modify Patterson so “*distribution could result in cost savings to the consumer and increased profitability to the content producer due to the reduction in printing and distribution costs.*” (see Patterson (col. 1, ll. 60-67)).

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Claim 51 is rejected for the same reasons as claim 48.

Claim 52 is rejected for the same reasons as claim 49.

Claim 53 is rejected for the same reasons as claim 50.

Claim 54 is rejected for the same reasons as claim 48.

Claim 55 is rejected for the same reasons as claim 49.

Claim 56 is rejected for the same reasons as claim 50.

RESPONSE TO ARGUMENTS

3. Applicant's arguments (filed 10/29/2004) have been considered but are not persuasive for the following reasons:

Applicant's arguments are moot based on new grounds of argument

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CONCLUSION

4. Any response to this action should be mailed to:

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Any response to this action may be sent via facsimile to either:

(703)305-7687 (for formal communications EXPEDITED PROCEDURE) or

(703) 305-7687 (for formal communications marked AFTER-FINAL) or

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh Floor Receptionist
Crystal Park V
2451 Crystal Drive
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

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(Kamiya)

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)

305-3900.

John L. Young

Primary Patent Examiner

January 6, 2005

JOHN L. YOUNG, ESQ.
PRIMARY EXAMINER